

Appl. No. 10/730,408
Examiner: Zarroli, Michael C, Art Unit 2839
In response to the Office Action dated October 5, 2004

Date: January 5, 2005
Attorney Docket No. 10113441

REMARKS

Applicant thanks the Examiner for indication of allowable subject matter in claims 2-5, and for acknowledging Applicant's claim to foreign priority and receipt of the certified copy of the priority document. Responsive to the Office Action mailed on October 5, 2004 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

After this amendment, claims 1-8 are pending. The title and abstract are objected to. Claims 2-5 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention, but are indicated as allowable if rewritten to overcome said rejections. Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Rohde (US5,971,790).

In this paper, the title is amended to read "connector for electronic device". Applicant submits that the title as amended is descriptive of the invention. The abstract is amended. Applicant submits that the amended abstract meets the requirement of 37 C.F.R. 1.72. Claim 1 is amended to improve form. New claims 6-8 are added. Support for the new claims can be found in Figs. 1-5 of the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

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Rejections under 35 U.S.C. 112

Claims 2-5 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Applicant respectfully traverses the rejections for the reasons as follow.

Claim 2 recites a connector comprising a key contacting the resilient lever, the resilient lever rotated by the threaded post when the key is pushed. The office action states that the term "contacting" renders the claim indefinite because it is a relative term not defined by the claim or specification.

In determining the meaning of patent claims, "[w]ords in a claim" will be given their ordinary and accustomed meaning, unless it appears that the inventor used them differently. *Jonsson v. Stanley Works*, 903 F.2d 812, 14 USPQ2d 1863, 1871 (Fed. Cir. 1990). Applicant respectfully disagrees that the ordinary and accustomed meaning of "contacting" is relative or a matter of degree. Instead, the ordinary and accustomed meaning of "contacting" as applied to two or more physical objects is a term of structural cooperation describing that that the objects are physically touching.

This structural cooperation between the key 19 and lever 14 is shown in Fig. 4 and described using the word "contact" on page 2, line 26 and "contacts" on page 3, lines 19-20 of the specification. Applicant submits that one of ordinary skill, when reading claim 2 in light of the specification, would be able to ascertain with a reasonable degree of precision and particularity the specific area set out and circumscribed by the claim. *Schenck v. Norstron Corp.*, 713 F.2d 782, 786, 219 USPQ 1137, 1142 (Fed. Cir. 1983).

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Applicant therefore respectfully requests that the rejections of claims 2-5 under 35 U.S.C. 112, second paragraph be withdrawn.

Rejections under 102(b)

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Rohde. Applicant respectfully traverses the rejections for the reasons as follow.

Rohde teaches a unitary spring latch for an electrical connector assembly. As shown in Figs. 1 and 3 of Rohde, the transverse feet 40 define a notch 43 for engaging with the annular groove 28 of the post 24. In Rohde, a pulling force between the electrical connector assembly 10 and the mating connector 22 acts along a line which is parallel to the post 24 and passes through the contacting point of the notch 43 and the annular groove 28.

Rohde does not teach or suggest a connector, comprising a first housing defining a through hole; a second housing having a threaded post; a screw passing through the through hole and fastening to the threaded post; and a resilient lever having a hook for sustaining a pulling force, rotatably connected to the threaded post, wherein the pulling force is substantially directed to the threaded post, as recited in claim 1.

MPEP 2131 prescribes that to anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

For the purposes of illustration, the drawing shown in Attachment A is provided. In the embodiment of the invention recited in claim 1 shown in the figure, a pair of resilient levers is installed with symmetry. When engaging the connector to an electronic device 2, each hook 141 sustains a pulling force. As shown in the drawing, the two pulling forces are parallel to each other and substantially parallel to the connector 1 and the electronic device 2. Each pulling force passes through the contacting point of the hook 141 and engaging portion 21, **and is substantially directed to the threaded post 121.**

In contrast, Rohde teaches a connector in which the pulling force between the electrical connector assembly 10 and the mating connector 22 acts along a line which is parallel to the post 24 and passes through the contacting point of the notch 43 and the annular groove 28. As clearly shown in the figures, the pulling force **is not directed to the threaded post**, as recited in claim 1.

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As Rohde does not teach all of the limitations recited in claim 1 of the present application, it is Applicant's belief that claim 1 is allowable over the cited reference. Insofar as claims 2-5 depend from claim 1, it is Applicant's belief that they are also in condition for allowance.

New Claim 6-8

Claim 6 of the present application is directed to a connector. The connector comprises a first housing, a second housing, a screw, a resilient lever and a key. The first housing defines a through hole and the second housing has a threaded post. The screw passes through the through hole and fastens to the threaded post. The resilient lever includes a hook for sustaining a pulling force. The resilient lever is rotatably connected to the threaded post so that ***the pulling force is substantially directed to the threaded post. The key is detachably connecting the resilient lever.*** The resilient lever is rotated around the threaded post when the key is pushed.

As noted previously, it is Applicant's belief that Rohde fails to teach or suggest a connector in which the pulling force is directed to the thread post. Furthermore, Applicant submits that the limitation "the key is detachably connected to the resilient lever" cannot be found in Rohde. For at least these reasons, it is Applicant's belief that new claim 6 is allowable over the cited reference.

Claim 7 of the present application is directed to a connector. The connector comprises a first housing, a second housing, a body, a screw, and a resilient lever. The first housing defines a through hole. The second housing having a threaded post and a side. The body contains in the first and second housings. The screw passes through the through hole and fastening to the

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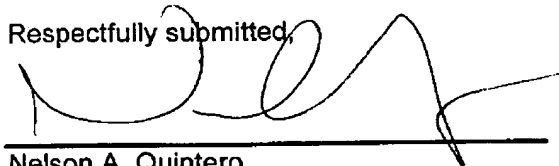
threaded post. The resilient lever comprises a pressing portion, a curved portion and a hook, wherein the curved portion is rotatably connected to the threaded post, the pressing portion is connected to an end of the curved portion and abuts the body, the hook is connected to the other end of the curved portion, **the curved portion is curving away from the side**, and when an external force is employed on the pressing portion, the pressing portion deforms to impel the curved portion to rotate around the threaded post.

Fig. 3 of Rohde shows that semicircular pivot section 44 is curved towards the side. In contrast, claim 7 recites that "the curved portion is curving away from the side." As Rohde does not teach all of the limitations recited in claim 7 of the present application, it is Applicant's belief that claim 7 is allowable over the cited reference. Insofar as claim 8 depends from claim 7, it is Applicant's belief that it also in condition for allowance.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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